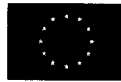


EUROPEAN PARLIAMENT



MEMBER OF THE EUROPEAN PARLIAMENT

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Mr Elmar Brok, Chairman of the Committee on Foreign Affairs
re: Passenger Name Record

Brussels, 23 March 2004

Dear Chairman and dear Colleague,

I have been informed of the letter you sent to the Chairman of the LIBE committee on the resolution for which I am rapporteur.

Like you, I am also shocked by the recent terrorist bombings in Madrid and by the rising threat of terrorist attacks in Europe. However, I believe that such dangers to our democratic societies could be better tackled by stronger police cooperation and by the sharing of intelligence between security services in the EU and with the US, which, as you are aware, as Chairman of AFET, is still unfortunately not the case. The Justice and Home Affairs Council last Friday and the External Affairs Council yesterday recognised this lack of coordination between the security services and this issue is very likely to be endorsed by the European Council on Thursday. Therefore I am personally convinced that we need a focused approach targeted to terrorists and criminals, not to millions of normal citizens. Searching a terrorist is like looking for a needle in a haystack adding useless information on normal passengers is just piling on more hay.

Furthermore, as far as the PNR data use is concerned, may I raise your attention to the fact that even the US Congress is less than convinced that the strategy pursued by the US Administration is a valid one and, as a major debate is underway in the US, we risk to be faced in a very short term with new factors. I find it simply incredulous that you are able to give a positive assessment on an issue that is still moving, as a result of pressure from the parties involved, including the European Parliament, and IATA itself.

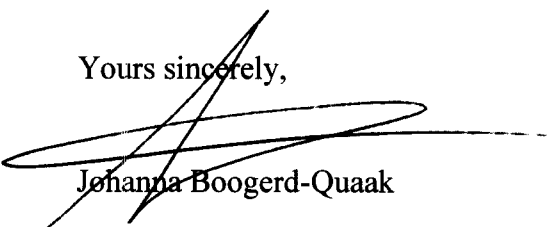
Your argument that we should accept the "deal" as it "ensures adequate data protection" and to revisit it in the next legislature does not appear to me to be very wise. As you will be aware, the

European Data Protection working party does not believe that the US offers adequate data protection, nor that there are sufficient safeguards in place. I would like to know how you are able to come to the opposite conclusion.

The fact that our counterpart is the US administration is not in itself a guarantee of high data protection standards. Furthermore, such a deal will open the way to similar deals with many other countries which could also be interested in gathering intelligence on the European passengers' data.

If I may suggest something that could be interpreted as a good and strong signal to the US and, as you say, to the entire world, it will be to start negotiations on a genuine transatlantic cooperation agreement for the prevention of crime and terrorism, which could even include sharing watch-lists for dangerous persons as we do in the Schengen cooperation. Unfortunately it seems that this kind of partnership is not even being considered by our partner.

Yours sincerely,



Johanna Boogerd-Quaak